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5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
7 AT SEATTLE

8
9 NATHANIEL JAMES DAVIS, JR.,)

10 Plaintiff,)

11 v.)

12 STATE OF WASHINGTON, *et al.*,)

13 Defendants.)
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CASE NO. C09-0574 RSM

ORDER OF DISMISSAL

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16 Having reviewed the relevant pleadings, the exhibits attached thereto, the Report and
17 Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, and
18 the remainder of the record, the Court hereby finds and ORDERS:

19 (1) The Court adopts the Report and Recommendation

20 (2) Plaintiff's complaint (Dkt. #4) is DISMISSED without prejudice pursuant to 28
21 U.S.C. § 1915(e)(2)(B)

22 (3) The Clerk is directed to forward a copy of this Order to plaintiff and to the
23 Honorable Mary Alice Theiler.

24 DATED this 17th day of September, 2009.

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27 RICARDO S. MARTINEZ
28 UNITED STATES DISTRICT JUDGE